



# **SHEEP BASIN RESTORATION PROJECT**

## **Decision Notice and Finding of No Significant Impact**



U.S.D.A. Forest Service, Gila National Forest  
Catron County, NM  
January 29, 2003

### **DECISION:**

Upon reviewing the first Sheep Basin Restoration Project Environmental Assessment (EA), the associated public scoping and comments, I developed an additional alternative. This alternative was Alternative 6 in the second EA, dated November 15, 2002, and it is my decision to implement Alternative 6 (EA pg. 9).

The primary goals of the Sheep Basin Restoration Project are to restore grasslands, improve forest health, and reduce fuels across the Sheep Basin Project Area. Of the range of alternatives to choose from, Alternative 6 will best meet these goals while maintaining stands with the best available old growth characteristics, insuring areas of dense canopy habitat for migratory birds and other species, and leaving travel corridors for wildlife.

My decision addresses all three significant project issues (EA pg. 6).

- Issue 1 will be fully addressed, as herbicide application will not occur.

- Issue 2 will be addressed because there will be no harvest of yellow barked trees. Thinning trees will improve forest health and will reduce fire risk by opening the canopy. This issue will also be addressed by excluding from cutting those areas designated to be managed for old growth characteristics and in selected wildlife corridors (EA pg. 9).
- Issue 3 will be addressed by reducing the number of harvest acres in some of the denser stands. Thinning ponderosa pine stands is anticipated to provide sufficient habitat for wildlife such as management indicator species (EA pp. 39-53, Project Record 118).

In making this decision, I intend that all mitigation measures and constraints listed in the Environmental Assessment (EA pg. 9-10) be implemented where appropriate to prevent or mitigate adverse impacts. All practical means including Best Management Practices (BMP's) to avoid or minimize environmental harm will be adopted.

Six alternatives were developed by an interdisciplinary team to respond to the significant project issues and meet the intent of the National Environmental Policy Act, which requires the evaluation of a "no action" alternative.

Alternative 1 – No Action (EA pg. 7)

Alternative 2 – This alternative was developed to address issues identified by internal and external scoping. Fuel treatment 6,143 acres, Cut 3,920 acres ponderosa pine with a 23.9 DBH cut limit on ponderosa pine in Mexican spotted owl restricted habitat, Cut 1,265 acres woodland and grassland, apply herbicide to alligator juniper sprouts on 1,418 acres (EA pg. 13). Decommission 8.24 miles of roads. Install one gate (EA pg. 8).

Alternative 3 – This alternative was developed to address issues identified by the Center for Biological Diversity. Fuel treatment 6,143 acres. Cut 3,920 acres ponderosa pine with a 12.1" DBH cut limit. Cut 1,265 acres woodland and grassland with a 12.1" DRC cut limit. Remove alligator juniper sprouts by hand or with small dozer over 1,206 acres (EA pg. 13). Decommission 8.24 miles of roads. Install one gate (EA pg. 8).

Alternative 4 – This alternative was developed to address issues identified by the Center for Biological Diversity and the Catron County Citizens Group. Fuel treatment 6,143 acres. Cut 2,839 acres ponderosa pine with a 16.1" DBH cut limit. Cut 1,001 acres woodland and grassland with a 16.1" DRC cut limit. Treat alligator juniper sprouts with prescribed burning (EA pg. 13). Decommission 8.24 miles of roads. Install one gate (EA pg. 9).

Alternative 5 – This alternative represented the original proposed action. Fuel treatment 15,379 acres. Cut 4,320 acres ponderosa pine with no DBH cut limit on ponderosa

pine in Mexican spotted owl restricted habitat. Cut 1,430 acres woodland, apply herbicide to alligator juniper sprouts on 1,889 acres (EA pg. 13). Decommission 8.24 miles of roads. Install 8 gates and 12 trick tanks (EA pg 9)

Alternative 6 – This alternative was developed to address issues related to the preservation of mature trees. Fuel treatment 6,143 acres. Cut 2,756 acres ponderosa pine, retaining yellow-barked pine trees. Cut 1,102 acres woodland and grassland, retaining older mature pinyon/juniper trees. Treat alligator juniper sprouts with prescribed burning (EA pg. 13). Decommission 8.24 miles of roads. Install one gate (EA pg. 9).

All project activities associated with this decision will occur on National Forest System land. The Project Area is located southeast of the Village of Reserve entirely within the Reserve Ranger District, Catron County, New Mexico.

The Sheep Basin Restoration Project Record, which includes the Environmental Assessment document, is available for review at the Gila National Forest Supervisor's Office, Silver City, New Mexico. A copy of the project record, which includes the Environmental Assessment document, is also available for review at the Reserve Ranger District Office.

#### RATIONALE:

I have chosen Alternative 6 because I feel that this mixture of activities will best transition resources in the Sheep Basin Project Area towards the site-specific desired resource conditions expressed in the Sheep Basin Restoration Project Environmental Assessment (EA pg. 5-6). The conditions were identified using guidance in the Gila National Forest Land and Resource Management Plan as amended by the Record of Decision for Amendment of Forest Plans Arizona and New Mexico, June, 1996 and the Negrito Ecosystem Analysis Report, 1997.

Alternative 6 restores 223 acres of grasslands by cutting the encroaching trees. This activity was analyzed in the EA (EA pg. 9-10, 12) and will improve forest health by increasing biodiversity. The areas of grassland restoration will also serve as firebreaks and the reduction in trees cover will reduce fuel loadings in these areas.

Silvicultural prescriptions in the ponderosa pine cover types and the corresponding density reductions and effects on forest health will include approximately 2,756 acres. There will be no size limitation for trees that will be cut but all yellow-barked ponderosa pine will be retained. Selecting Alternative 6 will serve to open stands of ponderosa pines, increase diversity between stands, reduce fuel loadings after treatments have been completed, improve forest health and create increased diversity in the VSS structure of the treated stands. Over time stands will move closer to achieving the recommended VSS structure found in the Gila National Forest Land and Resource Management Plan as amended by the Record of Decision for Amendment of Forest Plans Arizona and New Mexico, June, 1996. This alternative mechanically treats the least number of acres.

Of the 2,756 acres of harvest treatment in ponderosa pine under Alternative 6, approximately one third is in Mexican spotted owl restricted habitat (non-threshold), which has a 24 inch dbh upper diameter limit cut. Effects of Alternative 6 on stands designated to be managed for Mexican spotted owl threshold characteristics are increased growth of larger size class ponderosa pine and increase in habitat protection by decreasing the risk of catastrophic fire (EA pg. 26-27). The remaining two thirds of the harvest treatment area has no upper diameter limit but yellow barked ponderosa pines trees will not be included in the thinning projects. The cutting of larger trees will primarily be limited to trees exhibiting signs of disease and insect damage. Select trees will also be removed to create openings to obtain desired stand structure, to promote ponderosa pine regeneration, and to reduce tree density in isolated areas where current density in the larger size classes may create an increased fire risk (EA pg. 17-18, Project Record 123). Trees over 17 inches dbh represent approximately 0.2% of trees to be thinned while trees under 13 inch dbh make up approximately 93.5% (Project Record 131).

Silvicultural treatments in the woodland cover types for Alternative 6 will occur on 879 acres. Effects of treatments will be an increase in stand openings, reduced density of pinyon/juniper, increased herbaceous plant diversity and density, increased diversity between stands, and decreased erosion. Alternative 6 uses prescribed burning to treat alligator juniper stump sprouting. Treatments are expected to reduce alligator juniper stump sprouts 60-80% and the effects will last approximately 1-5 years (EA pg. 18, Project Records 119 and 123).

Alternative 6 will treat the fuels on 6,143 acres. At the conclusion of project activities, the fire hazard across the project area will be moderate-to-high while harvest slash cures, and will decrease to low once prescribed burning has been accomplished (EA pg. 22). Live and dead fuels will be reduced by approximately 5 tons per acre in areas that are burned and increased by 10 tons per acre in harvest units (Project Record 119). Although fuels will increase on the ground within harvest areas for the short term, reducing standing live ladder fuels, and opening the stand canopy will aid in reducing the risk of a crown fire spreading to surrounding ponderosa pine and mixed conifer stands (EA pg. 22). Additionally, prescribed burning will reduce the fuels configurations that create conditions that allow wildfire to carry with less damaging intensity (EA pg. 22).

Harvest and road reconditioning activities are projected to increase soil erosion slightly during implementation. However, once project activities are concluded, 8.24 miles of road will be decommissioned and the remaining roads within the project area will be reconditioned resulting in improved drainage and reduced road related erosion.

Moderately open tree canopies will create conditions for seedling establishment and increase the amount and vigor of forbs, shrubs, and grasses by approximately 30% (EA pg. 63). Herbaceous plants will improve in number and vigor with the reduced forest canopy (EA pg. 62).

Ponderosa pine treatment combined with areas excluded from harvest will promote forest density, diversity, fuel hazard reduction, and old growth by moving the forest structure closer to the VSS guidelines in the forest plan (EA pg. 17, Project Record 123).

Woodland treatment will increase structural diversity, promote an increase in herbaceous vegetation, and decrease erosion. Woodland areas excluded from treatment will maintain old growth and dense structural habitat (Project Record 123).

I elected not to select Alternative 1 because resource conditions across the area will not advance toward the desired condition in a timely manner. Alternative 1 will address the three significant project issues as herbicides will not be applied, trees will not be cut, and canopy closure will not

be reduced. However, fuels will increase in density and complexity across the area (EA pg. 19) posing an unacceptable risk of a catastrophic wildfire, which could degrade unique resources such as Mexican spotted owl habitat (EA pg. 24), loach minnow habitat (EA pg. 27), and spikede habitat (EA pg. 30). Tree canopies will continue to merge (EA pg. 10), reducing conditions necessary for plant and shrub establishment thus potentially decreasing the herbaceous component (EA pg. 55). Grasslands will not be restored. Competition between trees in dense stands, especially during droughty conditions, will continue to make stands susceptible to insect and disease attack (Project Record 57).

I elected not to select Alternative 2, because of the herbicide issue and issue 3. Herbicides are the most effective way of controlling juniper invasion in grasslands; however, their use is controversial. Next to Alternative 5, Alternative 2 is the most intensive mechanical treatment and although it would effectively reduce the risk of wildfire it reduces the canopy closure over a larger portion of the project area.

I elected not to select Alternative 3 because it does not adequately meet the objectives of reducing fuels and improving forest health. Tree densities would remain high.

I elected not to select Alternative 4 because I desire to have the flexibility of removing select large diameter trees as discussed above under Alternative 6. Alternative 4 partially addresses all of the project issues and need for action.

I elected not to select Alternative 5 because it addresses no project issues and does not meet with forest plan objectives. It was retained only because it was the original proposed action. Implementing Alternative 5 would result in unacceptable effects to Mexican spotted owl habitat (EA pg. 26) and loach minnow individuals and habitat (EA pg. 29). Additionally, activities under Alternative 5 would result in a type conversion of 155 acres of ponderosa pine forest and 1,042 acres of woodland to grassland, and 210 acres of ponderosa pine forest to oak woodland. Of these 210 acres of ponderosa pine forest that would be treated, 170 acres is classified as ponderosa pine-Gambel oak Mexican spotted owl restricted habitat.

## SCOPING AND PUBLIC INVOLVEMENT:

The Sheep Basin Restoration Project has been listed in the Gila National Forest Schedule of Proposed Actions. Individuals interested in the Sheep Basin Restoration project have been invited to participate in the development of the proposed actions as follows:

- June 14, 2000. The Forest solicited comments from interested parties in a scoping letter (Project Record 2).
- June 14, 2000. The Forest solicited comments from interested parties by publishing a notice in the Silver City Daily Press requesting comments (Project Record 7).
- July 21, 2000. The Forest hosted a field trip to the project area (Project Record 20).
- May 25, 2001. The Forest hosted a field trip to review sample marking (Project Record 51).
- August 26, 2002. The Forest Service hosted a field trip to review tree marking (Project Record 51).

Several individuals provided comments on the Environmental Assessment during both public comment periods. I have attached an Appendix to the Environmental Assessment to display how each comment was addressed. No new significant issues surfaced during analysis of comments on the Sheep Basin Environmental Assessment issued 15 Nov 2002. This decision has been distributed to those who responded to the scoping letter and Environmental Assessment. The decision is also posted on the Gila National Forest internet site at

<http://www2.srs.fs.fed.us/gilanf/resource/projects/>

Issues identified through internal and public scoping include:

- Issue 1: Applying herbicides to control alligator juniper stump sprouting may cause health risks to people and wildlife (EA pg. 6).
- Issue 2: Removing trees larger than 12" and 16" diameter at breast height (DBH) would reduce declining old growth in ponderosa pine stands (EA pg. 6).
- Issue 3: Harvesting ponderosa pine will reduce the canopy closure to a point that may not provide for wildlife such as management indicator species (EA pg. 6).

## FINDINGS REQUIRED BY OTHER LAWS:

All management practices and activities of Alternative 6 are consistent with the management direction, including standards and guidelines, in the Gila National Forest Land and Resource Management Plan (June 14, 1986) as amended, and its provisions, which were developed in accordance with the National Forest Management Act of 1976 (16 USC 1604(i) and 36 CFR 219.10(e)).

For timber stands receiving silvicultural treatments that ultimately lead to timber harvest:

1. Soil, slope, and other watershed conditions will not be irreversibly damaged (16 USC 1604(g)(3)(E)(i) and 36 CFR 219.27(c)(3)).
2. Lands can be adequately restocked within five years after final harvest (16 USC 1604(g)(3)(E)(ii) and 36 CFR 219.27(c)(3)).
3. Protection is provided for streams, stream banks, wetlands, and other bodies of water from detrimental changes in water temperatures, blockages of watercourses, and deposits of sediments (16 USC 1604(g)(3)(E)(iii)).
4. The harvest system to be used is not selected primarily because it will give the greatest dollar return or the greatest unit output of timber (16 USC 1604(g)(3)(E)(iv)).
5. Prescribed treatments for all stands proposed for harvest are designed to conserve soil and water resources and not allow significant or permanent impairment of the productivity of the land (36 CFR 219.27(a)(1)).
6. All stands proposed for harvest with timber production objectives are on lands suitable for timber production (36 CFR 219.27(c)(1)).

The management prescriptions of this project that involve vegetative manipulation of tree cover comply with the seven requirements found at 36 CFR 219.27(b). The Forest-wide standards and guidelines and the standards and guidelines for Management Area 6C (Gila National Forest Land and Resource Management Plan pg. 185-192) as amended by the Record of Decision for Amendments of Forest Plans, Arizona and New Mexico, June 1996 have been followed.



Additionally, project activities comply with the Endangered Species Act (Project Record 117), the Clean Water Act, and the Clean Air Act.

A complete cultural resource inventory has been accomplished for the affected project area. Cultural resources identified have been evaluated for their eligibility for the National Register of Historic Places. No significant cultural resources have been identified which meet the eligibility criteria. Heritage resources will not be affected by the proposed activities as sufficient protection measures have been provided through project design. A professional cultural resource specialist will monitor the condition of cultural resources during the project and following project completion. The State Historic Preservation Officer has been afforded an opportunity to review the project in accordance with 36 CFR 800 (Project Record 38).

#### FINDING OF NO SIGNIFICANT IMPACT:

In assessing the impacts, I have determined that this project is not a major federal action, individually or cumulatively, and will not significantly affect the quality of the human environment. Therefore, an environmental impact statement will not be prepared. Specifically, this determination is based upon the following factors:

1. The proposed action is expected to have little effect upon public health and safety (EA pg. 65).
2. There are no unique historic or cultural resources, park lands, prime farm lands, wetlands, wild or scenic rivers, or ecologically critical areas in the vicinity that could be adversely affected (EA pg. 10-113).
3. Based on public participation, the effects on the quality of the human environment are not likely to be highly controversial (EA pg. 112-113).
4. There are no known effects on the human environment that are highly uncertain or involve unique or unknown risks (EA pg. 10-113).
5. This action is not expected to establish a precedent for future actions with significant effects or represent a decision in principle about future considerations.
6. This decision is not related to other actions which individually have insignificant effects, but that cumulatively have the potential to result in significant impacts upon the human environment (EA pg. 65-113).

7. There is no potential for adverse effects of the action upon sites that are listed in, or eligible to be listed in, the National Register of Historic Places, or, could cause a loss or destruction of significant scientific, cultural, or historic resources (EA pg. 64).
8. There is no potential for the action to adversely affect a species that is sensitive, listed, or is being evaluated for listing, as an endangered or threatened species under the Act of 1973.
9. This action does not threaten the violation of Federal, State, or local law or requirements imposed for the protection of the environment.
10. There are no known effects to consumers, civil rights, minority groups, or women (EA pg. 63-65).

#### ADMINISTRATIVE REVIEW OR APPEAL; IMPLEMENTATION DATE:

This decision is subject to appeal pursuant to the Forest Service regulations at 36 CFR 215.7(b). Any written appeal of this decision must be fully consistent with 36 CFR 215.14, "Content of an Appeal". The written appeal must be postmarked or received by the Appeal Deciding Officer, **Regional Forester**, USDA Forest Service, 333 Broadway, Albuquerque, NM 87102 within 45 calendar days after the date of legal notice publication of this decision in the Silver City Daily Press.

It is the appellant's responsibility to provide sufficient written evidence and rationale to show why the Responsible Official's decision should be remanded or reversed. An appeal must meet the following requirements:

1. That the document is an appeal filed pursuant to 36 CFR 215
2. The appellant's name, address, and telephone number
3. Identify the decision being appealed (include the title of this document, its date, and the name and title of the Responsible Official who signed it)
4. Identify the specific change(s) in the decision that appellant seeks or the portion of the decision to which the appellant objects
5. State how the Responsible Official's decision fails to consider comments previously provided, either before or during the 30-day comment period and, if applicable, how the appellant believes the decision violates law, regulation, or policy.

Your appeal can be dismissed if it fails to meet the minimum requirements of 36 CFR 215.14 to such an extent that the Appeal Deciding Officer lacks adequate information on which to base a decision.

If an appeal is not received on this project, the project can be implemented 5 days after the close of the 45-day appeal period. If an appeal is received, this project can be implemented 15 days after appeal disposition.

CONTACT PERSON:

For additional information concerning this decision or the Forest Service appeal process, contact Rogers Steed, PO Box 170, Reserve, New Mexico 87830 or at (505) 533-6231.

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MARCIA R. ANDRE

Forest Supervisor

Responsible Official

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Date